



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JAN 28 2014

Mr. Timothy Carlstedt
Hunton & Williams LLP
575 Market Street
Suite 3700
San Francisco, California 94105

OFFICE OF WATER

Dear Mr. Carlstedt:

Thank you for your December 12, 2013 letter to the Environmental Protection Agency (EPA) regarding the stormwater petitions that EPA Regions 1, 3 and 9 recently received and your interest in EPA's stormwater program.

On July 10, 2013, EPA Regions 1, 3 and 9 received petitions, pursuant to 40 CFR 122.26(f), that seek designation pursuant to Section 122.26 (a)(9)(i)(D) of certain currently unregulated stormwater discharges from commercial, industrial, and institutional sites that discharge to impaired waters.

The EPA regional offices are currently evaluating the information provided in the petitions that they received. We are giving these petitions thoughtful, deliberative consideration, given the petitions' broad geographic and categorical scope, as well as implications for states, local governments and any potentially newly regulated entities. As your letter indicates, there is no formal process for public comment on petitions seeking designation of currently unregulated stormwater discharges. The EPA appreciates the importance of public input on actions undertaken by the Agency and we expect to take public comment on any proposed designation before making a final designation and requiring a permit. This is consistent with the process followed with respect to other proposed designations, such as in the Lower Charles River Watershed in Massachusetts, Long Creek Watershed in Maine, and Guam.¹

Again, thank you for your timely comments on these petitions. We appreciate your interest in the stormwater program.

Sincerely,

A handwritten signature in black ink, appearing to read "Nancy K. Stoner", is written over a horizontal line.

Nancy K. Stoner
Acting Assistant Administer

cc: Curt Spalding, Regional Administrator, U.S. EPA Region 1
Shawn Garvin, Regional Administrator, U.S. EPA Region 3
Jared Blumenfeld, Regional Administrator, U.S. EPA Region 9

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<http://www.epa.gov/region1/charles/publiccomment.html>

<http://www.epa.gov/region1/npdes/stormwater/assets/pdfs/LongCreekFRNotice.pdf>

<http://yosemite.epa.gov/opa/admpress.nsf/2dd7f669225439b78525735900400c31/ff95ec65148dcca58525783200601837!OpenDocument>